

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

DARYL D. WILSON,	)	
	)	
Petitioner,	)	
vs.	)	NO. CIV-10-200-HE
	)	
DAVID MILLER, Warden,	)	
	)	
Respondent.	)	

**ORDER**


Petitioner Daryl D. Wilson, a state prisoner represented by counsel, instituted this action pursuant to 28 U.S.C. § 2254 seeking habeas relief. Consistent with 28 U.S.C. §636(b)(1)(B), the matter was referred to Magistrate Judge Doyle W. Argo. He has recommended that the action be transferred to the United States District Court for the Northern District of Oklahoma, where jurisdiction exists because the petitioner is challenging a conviction obtained in a state court located in that judicial district. 28 U.S.C. § 2241(d). While jurisdiction also exists in the Western District of Oklahoma because the petitioner is incarcerated at the Lawton Correctional Facility, *id.*, the magistrate judge concluded that experience has shown that “justice is normally better served by the adjudication of the case in the district where the conviction was obtained.” Report and Recommendation, p. 2. The petitioner objects to the proposed transfer on the basis that both he and his counsel are located closer to Oklahoma City than Tulsa.

The court has considered petitioner’s objection, but concludes the action should be transferred for the reasons stated by the magistrate judge. *Id.* Accordingly, the court

adopts Magistrate Judge Argo's Report and Recommendation and **TRANSFERS** this case to the Northern District of Oklahoma for all further proceedings. 28 U.S.C. §2241(d).

**IT IS SO ORDERED.**

Dated this 29th day of April, 2010.



---

JOE HEATON  
UNITED STATES DISTRICT JUDGE